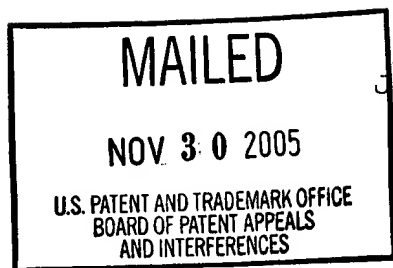


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte BRIAN UNITT, MICHAEL GRANT  
JEFFREY FARRINGTON and DAVID PHILLIPS

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Application No. 09/584,330

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on August 12, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

A review of the application indicates that the following headings are missing from the Appeal Brief of November 15, 2004:

- 1) "Evidence appendix", as set forth in 37 CFR § 41.37(c)(1)(ix); and
- 2) "Related proceedings appendix", as set forth in 37 CFR § 41.37(c)(1)(x).

A Supplemental Appeal Brief that is in compliance with 37 CFR § 41.37(c) is required.

Accordingly it is

**ORDERED** that the application is returned to the Examiner to:

- 1) hold the Appeal Brief of November 15, 2004 defective;
- 2) for applicant to file a Supplemental Appeal Brief in compliance with 37 CFR § 41.37;
- 3) for the examiner to consider the Supplemental Appeal Brief, and, vacate the Examiner's Answer mailed February 23, 2005, and issue a new Examiner's Answer in response to the Supplemental Appeal Brief in accordance with the new rules; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

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